

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

Case No. 05-54408

JOHN WILSON
and MARY WILSON,

Chapter 7

Judge Thomas J. Tucker

Debtors.

**ORDER EXTENDING TIME FOR JUAN PADILLA (1) TO FILE A
COMPLAINT OBJECTING TO DISCHARGE UNDER 11 U.S.C. § 727(a), AND (2) TO
FILE A COMPLAINT TO DETERMINE DISCHARGEABILITY OF A
DEBT UNDER 11 U.S.C. § 523**

On August 26, 2005, Juan Padilla, an inmate at the Tamms Correctional Center in Tamms, Illinois, filed a “Motion For Extension of Time” stating, in relevant part, that he was unable to file an adversary complaint because Debtors failed to schedule him as a creditor. A review of the Court’s records indicate that Debtor scheduled a Juan Padilla as an unsecured creditor on Schedule F, and that a Juan Padilla is listed on an amended matrix. However, the address listed on Schedule F and the amended matrix is not that of Mr. Padilla’s incarceration. Thus, Mr. Padilla apparently did not receive required notice from the Clerk of the Court of Debtor’s bankruptcy in time to file an adversary complaint objecting to discharge under 11 U.S.C. § 727(a), and/or to file a complaint to determine the dischargeability of a debt under 11 U.S.C. § 523.

The Court construes Mr. Padilla’s Motion as a motion to obtain an extension of the time limits (1) under Fed.R.Bankr.P. 4004(a) to file a complaint objecting to discharge under 11 U.S.C. § 727(a) and (2) under Fed.R.Bankr.P. 4007(c) to file a complaint to determine

dischargeability of a debt under 11 U.S.C. § 523. The Court will grant such an extension of time in favor of Mr. Padilla.

Accordingly,

IT IS ORDERED that the deadlines for Juan Padilla (1) to file a complaint objecting to discharge under 11 U.S.C. § 727(a); and (2) to file a complaint to determine dischargeability of a debt under 11 U.S.C. § 523, are extended until and including **Tuesday, October 18, 2005**.

Date: September 12, 2005

/s/ Thomas J. Tucker
Thomas J. Tucker
United States Bankruptcy Judge

cc: Juan Padilla #N10785
Tamms Correctional Center
P.O. Box 400
Tamms, Illinois 62259

Sheryl A. Shoebottom
Wendy Turner Lewis, Trustee
Rodney M. Glusac
United States Trustee (via Claretta Evans)